



10/036841 | *for copy*

Docket No.: KCC-14,764

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: James Hongxue WANG
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Assignee: Kimberly-Clark Worldwide, Inc.

Patent No.: 6,861,477

Issue Date: 01 March 2005

Title: MICROPHASE SEPARATED SUPERABSORBENT
COMPOSITIONS AND METHOD FOR MAKING

Customer No.: 35844

**REQUEST FOR A CORRECTED PATENT PURSUANT TO
35 U.S.C. 254 AND 37 C.F.R. 1.322(b)
IN LIEU OF CERTIFICATE OF CORRECTION**

ATTENTION: Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee of the subject U.S. Patent, as recorded on 18 April 2002 at Reel 012842, Frame 0582, respectfully requests that a Corrected Patent for the subject

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

14 April 2005

14 April 2005
Date

Valerie R. Janzenba
Signature

U.S. Patent be issued to correct a mistake of the U.S. Patent and Trademark Office, pursuant to 35 U.S.C. 254 and 37 C.F.R. 1.322(b).

The requested Corrected Patent is to replace the drawings (FIGS. 1-19) printed in the subject U.S. Patent with the replacement drawings that were actually approved by the Examiner. The drawings approved by the Examiner were formal replacement FIGS. 1-19 filed with the U.S. Patent and Trademark Office on 09 April 2002.

37 C.F.R. 1.322(b) (cited in MPEP 1480) states:

If the nature of the mistake on the part of the Office is such that a certificate of correction is deemed inappropriate in form, the Director may issue a corrected patent in lieu thereof as a more appropriate form for certificate of correction, without expense to the patentee.

Assignee urges that a certificate of correction is inappropriate in form as a remedy for the U.S. Patent and Trademark Office's mistake. A certificate of correction does not remove the multiple figures which were never accepted by the Examiner.

Assignee filed the formal replacement drawings with the U.S. Patent and Trademark Office on 09 April 2002 to ensure the requirements of MPEP 608.02 were met, spending significant time and money to do so. In turn, the U.S. Patent and Trademark Office responded with a return-receipt postcard indicating that all of the formal drawings were received. The replacement drawings were filed more than a

year before the Notice of Allowance was mailed, and almost three years before the Patent issued. The U.S. Patent and Trademark Office, therefore, had the formal drawings available for inclusion in the subject Patent.

Furthermore, the Examiner indicates in the Notice of Allowability that the accepted drawings were the replacement drawings received on 15 April 2002 (they were mailed by Applicants on 09 April 2002). The originally filed drawings were never accepted by the Examiner, and should not have been printed in U.S. Patent 6,861,477. The Notice of Allowability communicated to Assignee that the formal drawings were to be included in the issued U.S. Patent.

Assignee requests that a Corrected Patent be issued which includes the replacement drawings mailed on 09 April 2002, and which does not include the originally filed informal drawings. A certificate of correction is inappropriate in form, as it would merely append the formal drawings, while allowing the informal drawings to remain in this U.S. Patent.

A copy of the issued U.S. Patent, a copy of the formal drawings submitted on 09 April 2002, a copy of the postcard evidencing that the U.S. Patent and Trademark Office received the formal drawings, and a copy of the Examiner's Notice of Allowability are included.

Patent No.: 6,861,477

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Please send notice of the Corrected Patent and the corrected U.S.
Patent to the undersigned.

Respectfully submitted,



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